

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>UNITED STATES OF AMERICA,</b>	§	
<b>Plaintiff,</b>	§	
	§	
<b>v.</b>	§	<b>Case No. 3:09-CR-210-B</b>
	§	
<b>JESSE WILLIAM MCGRAW,</b>	§	<b>ECF</b>
<b>Defendant.</b>	§	

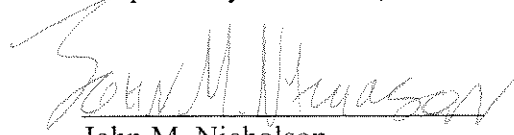
**DEFENSE’S UNOPPOSED REQUEST FOR RE-ARRAIGNMENT  
AND CONTINUANCE OF PRETRIAL MATERIALS DEADLINE**

TO THE HONORABLE JUDGE JANE J. BOYLE:

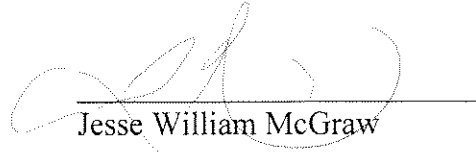
On February 2, 2010, the government filed a plea agreement and factual resume in this case. With these two documents, Mr. McGraw intended to enter into a plea agreement with the government and plead guilty to the two counts of the original Indictment. Mr. McGraw subsequently decided to proceed to trial and, upon motion of the government, this Court declared the plea agreement null and void. The government secured a superseding Indictment on March 24, 2010. The first two counts of the superseding Indictment contain slightly different language from the two counts of the original Indictment but allege identical violations of law.

Mr. McGraw now wishes to enter a “guilty” plea, without a plea agreement, to both counts of the original Indictment in this case. As a factual basis for this proposed plea, Mr. McGraw asks the Court to consider the factual resume filed on February 2, 2010. The defense respectfully requests that this Court schedule Mr. McGraw for rearraignment at its earliest convenience and, in addition, continue the deadline for the pretrial materials in this case so that Mr. McGraw may enter his “guilty” plea prior to the deadline for pretrial materials.

Respectfully submitted,



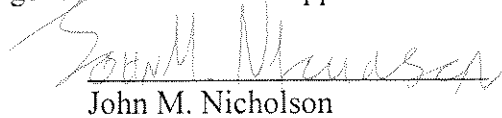
John M. Nicholson  
Assistant Federal Public Defender  
Northern District of Texas  
Texas Bar # 24013240  
525 Griffin Street, Suite 629  
Dallas, Texas 75202  
214.767.2746  
214.767.2886 (facsimile)  
[john\\_nicholson@fd.org](mailto:john_nicholson@fd.org)  
Attorney for Jesse McGraw



Jesse William McGraw

**CERTIFICATE OF CONFERENCE**

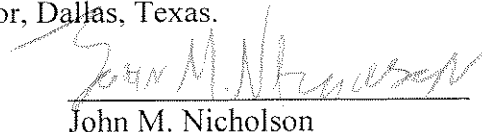
I, John M. Nicholson, hereby certify that I conferred with Candy Heath, AUSA on the above-referenced motion, and learned that the government does not oppose the relief requested by this motion.



John M. Nicholson

**CERTIFICATE OF SERVICE**

I hereby certify that on March 17, 2010 I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this notice as service of this document by electronic means: Assistant U. S. Attorney Candy Heath at [candina.heath@usdoj.gov](mailto:candina.heath@usdoj.gov). A copy of the foregoing document was also served by hand-delivery to Ms. Heath at 1100 Commerce St., Third Floor, Dallas, Texas.



John M. Nicholson